

**Town of Amherst**  
**Zoning Board of Appeals - Special Permit**

*DECISION*

**Applicant:** Emily Dickinson Museum, Jane Wald, director

**Date Application filed with the Town Clerk:** April 6, 2005

**Nature of request:** a Special Permit to erect signs of more than 12 square feet in total area in a residential district under Sections 8.101 and 8.41 of the Zoning Bylaw

**Location of property:** 214 & 280 Main Street (Map 14B, Parcel 26 & 27, R-G Zone)

**Legal notice:** Published on April 27<sup>th</sup> and May 4<sup>th</sup>, 2005 in the Daily Hampshire Gazette and sent to abutters on April 27, 2005.

**Board members:** Zina Tillona, Tom Simpson and Barbara Ford

**Submissions:** Ms. Wald submitted the following with the application:

- A picture of the proposed identification sign for the Museum (sign # 1 on the application) designed by Porcupine Sign, dated 3/18/05
- Pictures of the three directional signs for handicapped parking (signs # 2, 3 & 4)
- A chart giving zoning bylaw requirements, existing conditions, and proposed conditions for dimensions, height and setbacks for all four signs.
- A hand-drawn map of the Museum property showing the approximate locations of the proposed signs
- Four photographs showing the proposed sign locations

Zoning staff submitted a memo concerning the application, dated 5/5/05, and a map of the Dickinson National Register District in which the Dickinson Museum is located.

The applicant submitted revised drawings of the proposed signs by Porcupine Sign on 5/25/05

**Site Visit:** May 10, 2005

The Board met with Ms. Wald, and observed the following:

- The absence of signs on the premises at present, other than one in the front of the driveway to the museum entrance
- The long frontage along Main Street, and the slope of the street down to the intersection with Triangle Street, which hides the Museum entrance from the east.
- The two buildings of the Museum, the Homestead and the Evergreens, partly obscured by an overgrown hemlock hedge

- The approximate location of the four proposed signs, beginning from the eastern boundary: 1) a directional sign at the corner of Triangle and Main Streets, 2) a directional sign in front of the entrance to the tour center and Homestead, 3) a larger identification sign near the sidewalk and between the two homes, 4) a directional sign at the western boundary of the property, closest to the Town center.

The Board asked for a more precise map and more exact locations for the proposed signs for the hearing.

**Public Hearing:** May 12, 2005

Board Chair Zina Tillona began the hearing by stating for the record that she and the applicant, Jane Wald, have worked closely together as part of the Vestry at the Grace Episcopal Church. They do have that connection, but it is not related to this application in any way.

Jane Wald, Director of Resources and Collections at the Emily Dickinson Museum, presented the application for new signs. She said that the two buildings on the site - the Dickinson Homestead and the Evergreens (family home for Emily's brother Austin Dickinson in the 19<sup>th</sup> century) – recently merged to become the Museum. The Homestead driveway is now the single entry point for tours. The Homestead also contains a small gift shop and the Museum offices.

The Museum wants to present a single image to the public. A new logo has been designed which will be used as a visual and graphic aid to the site. The applicant stated that the next step in this process is the exterior signs – they wish to replace the existing blue signs on the Homestead parcel and develop a single design concept using the new logo for the entire site.

Ms. Wald stated that:

- The Museum property is over three acres (3.12 acres according to the submitted map)
- The frontage is very long, 929 feet along Main Street
- Visitors have difficulty locating the entrance to the main center.
- The Museum wants a single sign concept for both pedestrians and motorists
- Three of the four signs are designed for pedestrians and are almost identical. They will replace the two external signs existing on the property now, and add a third on the western property boundary.
- The larger sign is new and is meant for motorists.

Ms. Wald brought a site survey map in order to show the exact locations of the proposed signs. Beginning from the easterly edge of the property and moving to the western boundary, the proposed signs and their locations are:

1. The easterly sign, shown to be 71 feet away from the intersection of Triangle and Main Streets and 8 feet away from the sidewalk along Main Street. There had been

some question at the site visit whether the sign located at the intersection would violate the 25-foot “clear sight triangle” as stipulated by Section 6.27 of the Zoning Bylaw so as not to obstruct visibility of motorists. It is clear from the map that this is not the case – the sign is well outside the “clear sight triangle”. Also, the sign is visible from Dickinson Street as well as visible from the intersection. It replaces a sign that had been approved earlier by the Board in FY1999.

2. The small sign in front of the Homestead, which replaces the existing blue sign. It will be 8 feet east of the driveway to the Homestead and 8 feet from the Main Street sidewalk.
3. The larger identification sign, 3 x 4.5 feet in dimensions, which is proposed to be located between the two historic houses, but closer to the Homestead, so that the entrance to the tour center will be more visible. It would be placed 31 feet west of the entrance driveway, and 8 feet from the sidewalk. The sign’s orientation is parallel to the sidewalk and right in line with the trucks of the hemlock hedge.
4. The last directional sign is proposed to be placed 50 feet east of the western property boundary. It would be in line with the other signs, 8 feet from the sidewalk, but Ms. Wald said that this part of the property is open and the sign could be set back more if the needed.

The Board noted that signs in Residential Districts can be as close as 30 inches to the public sidewalk (Section 8.104 of the Zoning Bylaw) so the proposed locations are all well back from the Bylaw restriction.

The Board noted that the proposed location for the larger identification sign may be too far back from the road, out of the sight lines for drivers. The applicant may want to move it closer to the sidewalk and away from the hemlocks, as long as it is not within the 30” sidewalk buffer.

Mr. Simpson asked if the large sign would be wooden. The applicant said yes, but backed with vinyl siding.

The Petitioner said that there would be no lighting for the signs; there is no outside electrical wiring for them.

The Board discussed landscaping around the signs, but determined that it was not needed at this site.

The Board found no objection to the proposed location or number of signs, but had many concerns with the sign design. Overall, they found the signs to be too wordy and not have enough “white space” to bring out the important information. In addition, they all agreed that the new Museum logo is too big on the smaller signs and is not clearly associated with the Museum by the public.

The Board asked Ms. Wald to have the signs re-designed and resubmit to a scheduled

public meeting. The Board made the following suggestions for the signs:

1. Use the symbol (♿) for handicapped parking instead of words
2. Include an indication of distance to the museum entrance on the smaller signs
3. Eliminate the museum logo graphics on the smaller signs
4. Enlarge the lettering for "Emily Dickinson Museum"
5. Eliminate the "scheduling" information on the large sign, and use smaller changeable hanging signs for the hours of operation. .
6. Eliminate the word "Welcome" on the large sign
7. Keep the bottom two lines on the large sign, but use logos instead of words when possible

Mr. Simpson moved to close the evidentiary part of the hearing. Ms. Ford seconded the motion, and the vote was unanimous.

It should be noted for the record that the Dickinson Museum currently exists on two parcels – the Homestead on parcel #27 and the Evergreens on parcel #26. The existing blue Homestead signs are non-conforming according to the Zoning Bylaw because they are more than four (4) feet above grade (Section 8.103 of the Bylaw). The ZBA approved the placement and design of the blue signs on the Homestead parcel under Section 8.41 - Special Permit FY99-0052. The petitioner assumed that the current Special Permit application did not need to include replacement of those two signs, and submitted the application with only Parcel #26 listed. Parcel #27 should have been included as well. However, because proper notification to all abutters within 300 feet for both parcels was made, and all interested parties had the opportunity to attend the public hearing and make comment, it was agreed by the Board and the applicant that all four signs should be included in this Special Permit request. Hence the change of signs for Parcel #27 will be included in the decision.

The Historical Commission and the Design Review Board submitted memos. Both were supportive of a coordinated, consistent sign program for the combined properties of the Museum.

**Public Meeting:**

The Board discussed the long frontage for the museum and the need for directional and identification signs along Main Street. Section 8.41 of the Bylaw states that directional or identification signs may be "erected and maintained in any district where the Board... finds that such signs will serve the public convenience, will not endanger public safety, and will be of such size, location and design as will not be detrimental to the neighborhood." The Board noted that, as one of the major historic locations in Amherst, the Museum needs clear, concise and consistent signage. The Board determined that a coordinated sign design and their proposed locations will serve the public good and not deter from the residential character of the site.

**Findings:**

The Board finds under Section 10.38 of the Zoning Bylaw, Specific Findings required of all Special Permits, that:

10.380 – The proposal is suitably located in the neighborhood, which is a national historic district and in the total Town, since the signage will enable visitors to find the Dickinson Museum more easily.

10.381 – The proposal is compatible with other uses permitted by right in the district, since signs in residential districts are allowed by right under certain conditions.

10.382 & 10.383 – The proposal would not be visually offensive or an inconvenience to abutters, vehicles or pedestrians since the signs are small, set back from the sidewalk and roadway at more than the required distance, and will be attractive/clear.

10.386 – The proposal is in conformance with the Sign regulations of Article 8

10.309 - The proposal is in harmony with the general purpose and intent of the Bylaw since it promotes the safety, convenience and general welfare of both visitors and residents of Amherst.

**Zoning Board Decision:**

Tom Simpson moved to approve the application, with conditions. Barbara Ford seconded the motion.

For all of the reasons stated above, the Board VOTED UNANIMOUSLY TO GRANT a Special Permit to the Emily Dickinson Museum, c/o Co-Director Jane Wald to erect signs of more than 12 square feet in total area in a residential district under Section 8.41 of the Zoning Bylaw on the premises at 214 and 280 Main Street (Map 14B/Parcel 26 & 27, R-G Zone), with conditions.

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ZINA TILLONA

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TOM SIMPSON

\_\_\_\_\_  
BARBARA FORD

FILED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2005 at \_\_\_\_\_,  
in the office of the Amherst Town Clerk \_\_\_\_\_.

TWENTY-DAY APPEAL period expires, \_\_\_\_\_ 2005.  
NOTICE OF DECISION mailed this \_\_\_\_\_ day of \_\_\_\_\_, 2005  
to the attached list of addresses by \_\_\_\_\_, for the Board.

NOTICE OF PERMIT or Variance filed this \_\_\_\_\_ day of \_\_\_\_\_, 2005,  
in the Hampshire County Registry of Deeds.

**Town of Amherst**  
**Zoning Board of Appeals**

*SPECIAL PERMIT*

The Amherst Zoning Board of Appeals hereby grants a Special Permit to the Emily Dickinson Museum to erect signs of more than 12 square feet in total area in a residential district under Section 8.41 of the Zoning Bylaw on the premises at 214 and 280 Main Street (Map 14B/Parcels 26 & 27, R-G Zone), subject to the following conditions:

1. All signs shall be placed at least thirty inches (30") from the edge of the sidewalk along Main Street.
2. The sign design and exact location shall be approved at a Public Meeting of the Board on June 23, 2005 at 7 PM.
3. The sign dimensions shall be as submitted – 36 ½" x 50" for the larger identification sign and 30" x 22" for the three directional signs.

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ZINA TILLONA, Chair  
Amherst Zoning Board of Appeals

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DATE